



**COUNTY OF LOS ANGELES  
WORKFORCE DEVELOPMENT, AGING AND  
COMMUNITY SERVICES (WDACS)**

**REQUEST FOR PROPOSALS  
FOR  
BUSINESS TECHNICAL ASSISTANCE PROGRAM  
RFP NUMBER: BTA-01-2022**

Prepared By  
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## APPENDICES:

- A Statement of Work:** Explains in detail the required services to be performed by Subrecipient.
- B Statement of Work Exhibits:** Attachments which accompany the Statement of Work.
- C Sample Subaward:** Identifies the terms and conditions in the Subaward.
- D Required Forms:** Forms that must be completed and included in the proposal.
- E Transmittal Form to Request a Solicitation Requirements Review:** Transmittal sent to Department requesting a Solicitation Requirements Review.
- F County of Los Angeles Policy on Doing Business with Small Business:** County Policy
- G Jury Service Ordinance:** County Code
- H Listing of Subrecipients Debarred in Los Angeles County:** Subrecipients who are not allowed to Subaward with the County for a specific length of time.
- I IRS Notice 1015:** Provides information on Federal Earned Income Credit.
- J Intentionally Omitted**
- K Determination of Subrecipient Non-Responsibility and Subrecipient Debarment**
- L Intentionally Omitted**
- M Background and Resources: California Charities Regulation:** An information sheet intended to assist nonprofit agencies with compliance with SB 1262 - the Nonprofit Integrity Act of 2004 and identify available resources. (If applicable)
- N Defaulted Property Tax Reduction Program:** County Code

## 1.0 INTRODUCTION

- 1.1 The County of Los Angeles Workforce Development, Aging and Community Services is issuing this Request for Proposals (RFP) to solicit from organizations that can provide Business Technical Assistance (BTA) program services. The BTA program's goal is to identify businesses in distress, either financial, managerial, locational and/or operational stress that could result in a single layoff. By conducting significant and widespread outreach efforts to those businesses, conducting assessments, providing direct services, facilitating linkages to appropriate local partners (collectively, Program Services or Services) the successful Subrecipient(s) aims to strengthen the operation of the business, as codified by Public Law 113-128 under the Workforce Innovation and Opportunity Act (WIOA) Program requirements. **Workforce Development Boards are precluded from applying for funding under this procurement.**
- 1.2 County has adopted an economic development model for regional planning that is comprised of eight (8) workforce regions that encompasses all of Los Angeles County, as shown in Appendix B (Statement of Work (SOW) Exhibits), Exhibit 1 (Los Angeles County Workforce Regions). In order to effectively reach communities across our Local Workforce Development Area (WDA), the regions are further divided into ten (10) workforce sub-regions, as shown in Appendix B (SOW Exhibits), Exhibit 2 (Los Angeles County AJCC Sub-Region Service Areas). County will work with the City of Los Angeles (City) to coordinate and collaborate when and where appropriate for Distressed Businesses that fall within the City's WDA.
- 1.3 **Service Area(s)** – In order to effectively reach communities across Los Angeles County's WDA, the BTA program has merged the (10) workforce subregions, as identified in this RFP, Sub-paragraph 1.2 above, into four (4) Service Areas. Each Service Area has been assigned to Los Angeles County America's Job Centers of California (AJCCs) that the successful Proposer(s) will partner with to provide BTA Program Services:

### 1.3.1 Service Area 1

- 1.3.1.1 Antelope Valley Comprehensive AJCC
- 1.3.1.2 Santa Clarita Valley AJCC
- 1.3.1.3 Northeast San Fernando Valley AJCC

### 1.3.2 Service Area 2

- 1.3.2.1 East Los Angeles/West San Gabriel Valley Comprehensive AJCC
- 1.3.2.2 Southeast Comprehensive AJCC

### 1.3.3 Service Area 3

- 1.3.3.1 Pomona Valley Comprehensive AJCC
- 1.3.3.2 East San Gabriel Valley Comprehensive AJCC

1.3.3.3 Rio Hondo Comprehensive AJCC

1.3.4 Service Area 4

1.3.4.1 South Los Angeles AJCC

1.3.4.2 Westside Cities AJCC

1.3.4.3 Rancho Dominguez Comprehensive AJCC

**1.4 Anticipated Funding Amounts**

1.4.1 A total of approximately \$330,000 is available for the first Subaward period, as detailed in Section 1.5 below, for the provision of BTA Program services. The anticipated first-year funding will be broken down by services area as follows:

Service Area 1: \$82,500

Service Area 2: \$82,500

Service Area 3: \$82,500

Service Area 4: \$82,500

1.4.2 Proposer shall be aware that funding for this Program is contingent upon the availability of Federal and State funds, and the possible resulting Subaward may be recommended for additional or reduced funding than the amounts stated herein.

**1.5 Granting of Subawards**

1.5.1 County will award one (1) Subaward per Service Area, in the anticipated amounts listed in Section 1.4.1 above. County may elect to award any combination of Subawards (e.g. including but not limited to one (1) Subaward per Service Area, or one (1) Subaward to serve all service areas) to provide services to the four (4) service areas as referenced in this RFP Sub-paragraph 1.3 and 1.4, to best serve the needs of the County.

1.5.2 Collaboration Efforts with Lower Tier Subrecipient(s)

1.5.2.1 In order to ensure continuity in Service delivery and provide Services to businesses, Proposer may enter into a lower-tier subaward(s) with other business partners, agencies, consortiums, vendors, etc. (see Appendix C (Sample Subaward), Sub-paragraph 8.40 (Lower Tier Subaward)).

1.5.3 Information about Proposer's lower tier subaward efforts shall be reflected in Appendix D (Required Forms), Exhibit 21 (Proposed List of Lower Tier Subawards).

## **1.6 Overview of the Proposal Process**

### **1.6.1 Preparation of the Proposal**

- 1.6.1.1 As further described in RFP Paragraph 7.0 (Proposal Submission Requirements), Proposer shall prepare its proposal using the requirements outlined in this RFP document.
- 1.6.1.2 One (1) proposal shall be submitted for a single Service Area outlined in RFP Sub-paragraph 1.3 (Service Areas). Should proposer wish to apply for more than one Service Area, proposer shall submit a separate proposal per Service Area.
- 1.6.1.3 Proposer shall ensure that it addresses all elements that are required to be included in its proposal and submits its proposal by the due date and time stated in RFP Sub-paragraph 7.3 (RFP Timetable).

## **1.7 Evaluation of the Proposal**

- 1.7.1 As further described in RFP Paragraph 8.0 (Selection Process and Evaluation Criteria), the proposal will be reviewed and evaluated in three (3) phases: Minimum Mandatory Qualifications Review (pass/fail review), Business Proposal Evaluation, and Cost Proposal Evaluation.

## **1.8 Definition of Key Terms**

- 1.8.1 Key terms that are used throughout this document (including its Appendices) have been defined in Appendix B (Statement of Work Exhibits) and Exhibit 6 (Definitions), unless otherwise stated.
- 1.8.2 Titles, captions and headings contained in this solicitation are inserted as a matter of convenience and for reference and are not intended and shall not be deemed or construed to define, limit, extend or otherwise describe the scope or any provision of this solicitation.
- 1.8.3 For purposes of this RFP, the term Proposer is used to identify any person, entity or organization which submits a proposal in response to this solicitation. As such, while the information provided in this RFP is intended primarily for Proposer, potential Proposers are highly encouraged to review this solicitation document as well.
- 1.8.4 For purposes of this RFP, the term Subrecipient shall refer to Proposer who submits a proposal in response to this solicitation, successfully passes County's evaluation process, is selected by

County to receive a Subaward (contingent upon approval by the Board of Supervisors) and is expected to ultimately sign/execute the resulting Subaward.

## **1.9 Usage of Specific Terms Pursuant to Federal and County Regulations**

1.9.1 In order to comply with the requirements of Title 2 Code of Federal Regulations Part 200 and Title 45 Code of Federal Regulations Part 75, specific terms are used to refer to the resulting agreement which is identified as the "Subaward" (i.e., Appendix C (Sample Subaward)), the party to that agreement who is identified as "Subrecipient," a third-party agreement which is identified as the "Lower Tier Subaward" and a third-party who is identified as a "Lower Tier Subrecipient."

## **2.0 PURPOSE - SUBAWARD FOR BUSINESS TECHNICAL ASSISTANCE PROGRAM SERVICES**

### **2.1 Statement of Work**

2.1.1 Successful Proposer shall be expected to implement the requirements outlined in Appendix A (Statement of Work) of this RFP.

### **2.2 Sample Subaward: County Terms and Conditions**

2.2.1 Successful Proposer shall be expected to implement the requirements outlined in Appendix C (Sample Subaward) of this RFP.

#### **2.2.2 Anticipated Subaward Term**

2.2.2.1 The Subaward term is anticipated to be for a period of three (3) years with an option to extend for two (2), additional one (1) year periods, which is expected to commence on July 1, 2022, following Board of Supervisors' approval.

#### **2.2.3 Subaward Rates**

2.2.3.1 The Subaward (hourly, daily, monthly, etc.) amount may be adjusted annually based on the increase or decrease in the U.S. Department of Labor, Bureau of Labor Statistics' Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County Area for the most recently published percentage change for the twelve (12) month period preceding the Subaward anniversary date, which shall be the effective date for any cost of living adjustment. However, any increase shall not exceed the general salary movement granted to County employees as determined by the Chief Executive Office as of each July 1 for the prior twelve (12) month period. Furthermore, should fiscal

circumstances ultimately prevent the Board from approving any increase in County employee salaries, no cost of living adjustments will be granted. Where the County decides to grant a Cost of Living Adjustment (COLA) pursuant to Subparagraph 5.6 (Cost of Living Adjustments) of Appendix C (Sample Subaward), it may, in its sole discretion, exclude the cost of labor (including the cost of wages and benefits paid to employees providing services under this Subaward) from the base upon which a COLA is calculated, unless Subrecipient can show that his/her labor cost will actually increase.

#### **2.2.4 Days of Operation**

2.2.4.1 Successful Proposer shall provide Program services Monday through Friday, during the hours of 8:00 a.m. and 5:00 p.m. Subrecipient's staff shall be available during these days and hours of operation. Successful Proposer is not required to provide services on County-recognized holidays. County's Subaward Manager will provide a list of the County's holidays at the time the Subaward is approved, and thereafter when updates are made to this list.

#### **2.2.5 Indemnification and Insurance**

2.2.5.1 Successful Proposer shall be required to comply with the provisions contained in Paragraph 8.23 (Indemnification) of Appendix C (Sample Subaward). Successful Proposer shall procure, maintain, and provide to County proof of insurance coverage for all the programs of insurance along with associated amounts specified in Paragraph 8.24 (General Provisions for all Insurance Coverage) and Paragraph 8.25 (Insurance Coverage) of Appendix C (Sample Subaward).

#### **2.2.6 Health Insurance Portability and Accountability Act of 1996**

2.2.6.1 Successful Proposer shall be required to comply with the Administrative Simplification requirements of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) as in effect and as may be amended, as contained in Exhibit N (Business Associate Agreement under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA")) of Appendix C (Sample Subaward).

### **3.0 PROPOSER'S MINIMUM MANDATORY QUALIFICATIONS**

3.1 Interested and qualified Proposers that can demonstrate their ability and qualifications to successfully provide the required Services outlined in Appendix A (Statement of Work) and as instructed under RFP Section 7. are invited to

submit a proposal(s) for BTA services in one or more Service Areas, provided they meet all the following mandatory qualifications:

- 3.1.1 Proposer's organization must be classified as one (1) of the following: social enterprise agency, industry organization, or community-based organization (examples include but are not limited to, Chambers of Commerce, Economic Development Corporation, Small Business Development Centers, etc.).
  - 3.1.2 Proposer shall have a minimum of two (2) years (consecutive or non-consecutive) within the last five (5) years of experience providing Program Services to businesses in Los Angeles County in the region(s) being applied for (or providing services which are substantially similar to those stated in Appendix A (Statement of Work, Section 10.0 (Specific Work Requirements))).
  - 3.1.3 As detailed in Appendix A (Statement of Work), Proposer shall have a Project Manager, with a minimum of three (3) years of experience within the last five (5) years providing business services, or services similar to those described in Appendix A (Statement of Work).
  - 3.1.4 Proposer shall be directly engaged in serving businesses and/or conducting economic development with Workforce Development Boards (WDBs), America's Job Centers of California (AJCCs), Community Based Organizations (CBOs), Economic Development Commissions (EDCs), Chambers, Labor Unions, Small Business Development Corporations (SBDCs), or any combination of these.
  - 3.1.5 Proposer shall provide the information stated in Sub-paragraph 7.8.7 (Section B (Proposer's Qualifications)) as part of its proposal to demonstrate that it meets therequirements stated herein.
- 3.2 If Proposer's compliance with a County Subaward has been reviewed by the Department of the Auditor-Controller within the last 10 years, Proposer must not have unresolved questioned costs identified by the Auditor-Controller, in an amount over \$100,000.00, that are confirmed to be disallowed costs by the Subawarding County department, and remain unpaid for six months or more from the date of disallowance, unless such disallowed costs are the subject of current good faith negotiations to resolve the disallowed costs, in the opinion of the County.

## **4.0 COUNTY'S RIGHTS AND RESPONSIBILITIES**

### **4.1 Representations Made Prior to Subaward Execution**

- 4.1.1 The County is not responsible for representations made by any of its officers or employees prior to the execution of the Subaward unless such understanding or representation is included in the Subaward.

## **4.2 Final Subaward by the Board of Supervisors**

4.2.1 Notwithstanding a recommendation of County, agency, individual, or other, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant agreement, and to determine which proposal best serves the interests of the County. The Board is the ultimate decision-making body and makes the final determinations necessary to arrive at a decision to award, or not grant, a Subaward.

## **4.3 County's Option to Reject Proposals**

4.3.1 Proposers are hereby advised that this RFP is a solicitation for proposals only, and is not intended, and is not to be construed as, an offer to enter into a Subaward or as a promise to engage in any formal competitive bidding or negotiations pursuant to any statute, ordinance, rule, or regulation. The County may, at its sole discretion, reject any or all proposals submitted in response to this RFP or may, in its sole discretion, reject all proposals and cancel this RFP in its entirety. The County shall not be liable for any costs incurred by the proposer in connection with the preparation and submission of any proposal. The County reserves the right to waive inconsequential disparities in a submitted proposal.

## **4.4 County's Right to Amend Request for Proposals**

4.4.1 County has the right to amend the RFP by written addendum. The County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addendum shall be made available to each person or organization which County records indicate has received this RFP. Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the proposal being found non-responsive and not being considered, as determined in the sole discretion of County. County is not responsible for and shall not be bound by any representations otherwise made by any individual acting or purporting to act on its behalf.

## **4.5 Background and Security Investigations**

4.5.1 Background and security investigations of Proposer's staff may be required at the discretion of the County as a condition of beginning and continuing work under any resulting Subaward. The cost of background checks is the responsibility of Proposer.

## **4.6 County's Quality Assurance Plan**

4.6.1 After commencement of a Subaward, County or its agent will evaluate Subrecipient's performance under the Subaward on a periodic basis. Such evaluation will include assessing Subrecipient's

compliance with all terms in the Subaward and performance standards identified in Appendix B (Statement of Work). Subrecipient's deficiencies which County determines are severe, continuing or that may jeopardize performance of the Subaward may be reported to the Board of Supervisors. The report will include improvement/corrective action measures taken by County and Subrecipient. If improvement does not occur consistent with the corrective action measures, County may terminate the Subaward in whole or in part, or impose other penalties as specified in the Subaward.

## **5.0 PROPOSER'S REQUIREMENTS AND CERTIFICATIONS**

### **5.1 Notice to Proposers Concerning the Public Records Act**

- 5.1.1 Responses to this solicitation shall become the exclusive property of County. Absent extraordinary circumstances, the recommended Proposer's proposal will become a matter of public record when 1) Subaward negotiations are complete; 2) County receives a letter from the recommended Proposer's authorized officer that the negotiated Subaward is the firm offer of the recommended Proposer; and 3) County releases a copy of the recommended Proposer's proposal in response to a Notice of Intent to Request a Proposed Subrecipient Selection Review under Board Policy No. 5.055 (Services Subaward Solicitation Protest).
  - 5.1.1.1 Notwithstanding the above, absent extraordinary circumstances, all proposals will become a matter of public record when the Department's Proposer recommendation appears on the Board agenda.
  - 5.1.1.2 Exceptions to disclosure are those parts or portions of all proposals that are justifiably defined as business or trade secrets, and plainly marked by Proposer as "Trade Secret", "Confidential", or "Proprietary".
- 5.1.2 County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law. A blanket statement of confidentiality or the marking of each page of the proposal as confidential shall not be deemed sufficient notice of exception. Proposers must specifically label only those provisions of their respective proposal which are "Trade Secrets", "Confidential", or "Proprietary", in nature.
- 5.1.3 In the event County is required to defend an action on a Public Records Act request for any of the aforementioned documents, information, books, records, and/or contents of a proposal marked "Confidential", "Trade Secrets", or "Proprietary", Proposer agrees to defend and indemnify County from all costs and expenses, including reasonable attorneys' fees, incurred in connection with any action, proceedings, or liability arising in connection with the Public Records Act request.

## **5.2 Contact with County Personnel**

- 5.2.1 All contact regarding this RFP or any matter relating thereto must be in writing and may be e-mailed as follows:

Attn: Michael Yamashige, ASM III  
[AJCCRFP@WDACS.LACOUNTY.GOV](mailto:AJCCRFP@WDACS.LACOUNTY.GOV)

If it is discovered that Proposer contacted and received information from any County personnel, other than the person specified above, regarding this solicitation, County, in its sole determination, may disqualify their proposal from further consideration.

## **5.3 Mandatory Requirement to Register on County's WebVen**

- 5.3.1 Prior to a Subaward award, all potential Subrecipients must register in the County of Los Angeles's WebVen. WebVen contains the vendor's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing the County's home page at:

<http://camisvr.co.la.ca.us/webven/>

## **5.4 Protest Policy Review Process**

- 5.4.1 Under Board Policy No. 5.055 (Services Subaward Solicitation Protest), any prospective Proposer may request a review of the requirements under a solicitation for a Board-approved services Subaward, as described in Subparagraph 5.4.3 (Grounds for Review) below. Additionally, any actual Proposer may request a review of a disqualification or of a proposed Subaward award under such a solicitation, as described respectively in the paragraphs below. It is the responsibility of Proposer challenging the decision of a County Department to demonstrate that the Department committed a sufficiently material error in the solicitation process to justify invalidation of a proposed Subaward award.
- 5.4.2 Throughout the review process, County has no obligation to delay or otherwise postpone an award of Subaward based on a Proposer protest. In all cases, the County reserves the right to make an award when it is determined to be in the best interest of the County of Los Angeles to do so.
- 5.4.3 Grounds for Review

Unless state or federal statutes or regulations otherwise provide, the grounds for review of a solicitation for a Board-approved services

Subaward provided for under Board Policy No. 5.055 (Services Subaward Solicitation Protest) are limited to the following:

5.4.3.1 Review of Solicitation Requirements (Paragraph 7.4)

5.4.3.2 Review of Disqualified Proposal (Paragraph 8.3)

5.4.3.3 Review of Proposed Subrecipient Selection (Paragraph 8.7)

## **5.5 Injury and Illness Prevention Program**

5.5.1 Successful Proposer shall be required to comply with the State of California's Cal OSHA's regulations. California Code of Regulations Title 8 Section 3203 requires all California employers to have a written, effective Injury and Illness Prevention Program (IIPP) that addresses hazards pertaining to the particular workplace covered by the program.

## **5.6 Confidentiality and Independent Subrecipient Status**

5.6.1 As appropriate, Successful Proposer shall be required to comply with Paragraph 7.6 (Confidentiality) and Paragraph 8.22 (Independent Subrecipient Status), contained in Appendix C (Sample Subaward).

## **5.7 Conflict of Interest**

5.7.1 No County employee whose position in County enables him/her to influence the selection of a Subrecipient for this RFP, or any competing RFP, nor any spouse of economic dependent of such employees, shall be employed in any capacity by a Proposer or have any other direct or indirect financial interest in the selection of a Subrecipient. Proposer shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in Exhibit 5 (Certification of No Conflict of Interest) of Appendix D (Required Forms).

## **5.8 Determination of Proposer Responsibility**

5.8.1 A responsible Proposer is a Proposer who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the Subaward. It is County's policy to conduct business only with responsible Proposers.

5.8.2 Proposers are hereby notified that, in accordance with Chapter 2.202 of the County Code, County may determine whether Proposer is responsible based on a review of Proposer's performance on any Subawards, including but not limited to County Subawards. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by Proposer against public entities. Labor law violations which are the fault of the Lower Tier Subrecipients and of which Proposer had no knowledge shall not be the basis of a determination that Proposer is not responsible.

- 5.8.3 County may declare a Proposer to be non-responsible for purposes of this Subaward if the Board of Supervisors, in its discretion, finds that Proposer has done any of the following: 1) violated a term of a Subaward with County or a nonprofit corporation created by the County; 2) committed an act or omission which negatively reflects on Proposer's quality, fitness or capacity to perform a Subaward with County, any other public entity, or a nonprofit corporation created by County, or engaged in a pattern or practice which negatively reflects on same; 3) committed an act or omission which indicates a lack of business integrity or business honesty; or 4) made or submitted a false claim against County or any other public entity.
- 5.8.4 If there is evidence that the apparent highest ranked Proposer may not be responsible, County shall notify Proposer in writing of the evidence relating to Proposer's responsibility, and its intention to recommend to the Board of Supervisors that Proposer be found not responsible. County shall provide Proposer and/or Proposer's representative with an opportunity to present evidence as to why Proposer should be found to be responsible and to rebut evidence which is the basis for County's recommendation.
- 5.8.5 If Proposer presents evidence in rebuttal to County, County shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of Proposer shall reside with the Board of Supervisors.
- 5.8.6 These terms shall also apply to Lower Tier Subrecipients of Proposers on County Subawards.

## **5.9 Proposer Debarment**

- 5.9.1 Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, County may debar Proposer from bidding or proposing on, or being awarded, and/or performing work on other County Subawards for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and County may terminate any or all of Proposer's existing Subawards with County, if the Board of Supervisors finds, in its discretion, that Proposer has done any of the following: 1) violated a term of a Subaward with the County of Los Angeles or a nonprofit corporation created by the County; 2) committed an act or omission which negatively reflects on Proposer's quality, fitness or capacity to perform a Subaward with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; 3) committed an act or offense which indicates a lack of business integrity or business honesty; or 4) made or submitted a false claim against the County or any other public entity.

- 5.9.2 If there is evidence that the apparent highest ranked Proposer may be subject to debarment, the Department shall notify Proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise Proposer of the scheduled date for a debarment hearing before the Subrecipient Hearing Board.
- 5.9.3 The Subrecipient Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. Proposer and/or Proposer's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Subrecipient Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether Proposer should be debarred, and, if so, the appropriate length of time of the debarment. Proposer and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.
- 5.9.4 After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Subrecipient Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Subrecipient Hearing Board.
- 5.9.5 If a Proposer has been debarred for a period longer than five (5) years, that Proposer may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that Proposer has adequately demonstrated one or more of the following: 1) elimination of the grounds for which the debarment was imposed; 2) a bona fide change in ownership or management; 3) material evidence discovered after debarment was imposed; or 4) any other reason that is in the best interests of the County.
- 5.9.6 The Subrecipient Hearing Board will consider requests for review of a debarment determination only where 1) Proposer has been debarred for a period longer than five (5) years; 2) the debarment has been in effect for at least five (5) years; and 3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Subrecipient Hearing Board will provide notice of the hearing on the request. At the hearing, the Subrecipient Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Subrecipient Hearing Board pursuant to the same procedures as for a debarment hearing.
- 5.9.7 The Subrecipient Hearing Board's proposed decision shall contain a

recommendation on the request to reduce the period of debarment or terminate the debarment. The Subrecipient Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Subrecipient Hearing Board.

- 5.9.8 These terms shall also apply to proposed Lower Tier Subrecipients of Proposers on County Subawards.
- 5.9.9 Appendix H (Listing of Subrecipients Debarred in Los Angeles County) provides a link to the County's website where there is a listing of Subrecipients that are currently on the Debarment List for Los Angeles County.

## **5.10 Adherence to County's Child Support Compliance Program**

- 5.10.1 Proposers shall: 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any Subaward that may be awarded pursuant to this solicitation. Failure to comply may be cause for termination of a Subaward or initiation of debarment proceedings against the non-compliant Subrecipient (County Code Chapter 2.202).

## **5.11 Gratuities**

- 5.11.1 Attempt to Secure Favorable Treatment

5.11.1.1 It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion or statement that Proposer's provision of the consideration may secure more favorable treatment for Proposer in the award of the Subaward or that Proposer's failure to provide such consideration may negatively affect the County's consideration of Proposer's submission. A Proposer shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of the Subaward.

- 5.11.2 Proposer Notification to County

5.11.2.1 A Proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (800) 544-6861.

Failure to report such a solicitation may result in Proposer's submission being eliminated from consideration.

### 5.11.3 Form of Improper Consideration

5.11.3.1 Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

## 5.12 Notice to Proposers Regarding the County Lobbyist Ordinance

5.12.1 The Board of Supervisors of the County of Los Angeles has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise or Subaward must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Proposer to review the ordinance independently as the text of said ordinance is not contained within this RFP. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by Proposer is in full compliance with Chapter 2.160 of the Los Angeles County Code and each such County Lobbyist is not on the Executive Office's List of Terminated Registered Lobbyists by completing and submitting Exhibit 6 (Familiarity with the County Lobbyist Ordinance Certification) of Appendix D (Required Forms), as part of their proposal.

## 5.13 Federal Earned Income Credit

5.13.1 Successful Proposer shall notify its employees and shall require each Lower Tier Subrecipient to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in Appendix I (IRS Notice 1015).

## 5.14 Consideration of GAIN-GROW Participants for Employment

5.14.1 As a threshold requirement for consideration for Subaward award, Proposers shall demonstrate a proven record of hiring participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Proposers shall attest to a willingness to provide employed GAIN/GROW participants access to Proposers' employee mentoring program, if available, to assist these individuals in

obtaining permanent employment and/or promotional opportunities.

- 5.14.2 Proposers who are unable to meet this requirement shall not be considered for Subaward award. Proposers shall submit a completed Exhibit 9 (Attestation of Willingness to Consider GAIN-GROW Participants) of Appendix D (Required Forms), along with their proposal.

## **5.15 Recycled Bond Paper**

- 5.15.1 Proposer shall be required to comply with the County's policy on recycled bond paper as specified in Paragraph 8.39 (Recycled Bond Paper) of Appendix C (Sample Subaward).

## **5.16 Jury Service Program**

- 5.16.1 The prospective Subaward is subject to the requirements of the County's Subrecipient Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective Subrecipients should carefully read Appendix G (Jury Service Ordinance) and Paragraph 8.8 (Compliance with the County's Jury Service Program) of Appendix C (Sample Subaward), both of which are incorporated by reference into and made a part of this RFP. The Jury Service Program applies to both Subrecipients and their Lower Tier Subrecipients.

Proposals that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

- 5.16.2 The Jury Service Program requires Subrecipients and their Lower Tier Subrecipients to have and adhere to a written policy that provides that its employees shall receive from Subrecipient, on an annual basis, no less than five (5) days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with Subrecipient or that Subrecipient deducts from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Subrecipient and "full-time" means forty (40) hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) Subrecipient has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Subrecipient's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of ninety (90) days or less within a twelve (12) month period are not considered full-time for purposes of the Jury Service Program.
- 5.16.3 There are two (2) ways in which a Subrecipient might not be subject to the Jury Service Program. The first is if Subrecipient does not fall within the Jury Service Program's definition of "Subrecipient". The Jury Service

Program defines “Subrecipient” to mean a person, partnership, corporation of other entity which has a Subaward with the County or a Lower Tier Subaward with a County Subrecipient and has received or will receive an aggregate sum of fifty thousand dollars (\$50,000) or more in any twelve (12) month period under one or more County Subawards or Lower Tier Subawards. The second is if Subrecipient meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Subrecipients that have 1) ten (10) or fewer employees; and, 2) annual gross revenues in the preceding twelve (12) months which, if added to the annual amount of this Subaward is less than five hundred thousand dollars (\$500,000), and, 3) is not an “affiliate or subsidiary of a business dominant in its field of operation”. The second exception applies to Subrecipients that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. Subrecipient is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.

- 5.16.4 If a Subrecipient does not fall within the Jury Service Program’s definition of “Subrecipient” or if it meets any of the exceptions to the Jury Service Program, then Subrecipient must so indicate in Exhibit 10 (Subrecipient Employee Jury Service Program Certification Form and Application for Exception) of Appendix D (Required Forms) and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing Subrecipient’s application, the County will determine, in its sole discretion, whether Subrecipient falls within the definition of Subrecipient or meets any of the exceptions to the Jury Service Program. The County’s decision will be final.

## **5.17 Notification to County of Pending Acquisitions/Mergers by Proposing Company**

- 5.17.1 Proposer shall notify the County of any pending acquisitions/mergers of its company unless otherwise legally prohibited from doing so. If Proposer is restricted from legally notifying the County of pending acquisitions/mergers, then it should notify the County of the actual acquisitions/mergers as soon as the law allows and provide to the County the legal framework that restricted it from notifying the County prior to the actual acquisitions/mergers. This information shall be provided by Proposer in Exhibit 1, (Proposer’s Organization Questionnaire/Affidavit and CBE Information) of Appendix D (Required Forms). Failure of Proposer to provide this information may eliminate its proposal from any further consideration. Proposer shall have a continuing obligation to notify County of changes to the information contained in Exhibit 1 (Proposer’s Organization Questionnaire/Affidavit and CBE Information) during the pendency of this RFP by providing a revised Exhibit 1 (Proposer’s Organization Questionnaire/ Affidavit and CBE Information) to the County upon the occurrence of any event giving rise to a change in its previously-reported information.

## **5.18 Proposer's Charitable Contributions Compliance**

- 5.18.1 California's "Supervision of Trustees and Fundraisers for Charitable Purposes Act" regulates receiving and raising charitable contributions. Among other requirements, those subject to the Charitable Purposes Act must register. The 2004 Nonprofit Integrity Act (SB 1262, Chapter 919) increased Charitable Purposes Act requirements. Prospective Subrecipients should carefully read Appendix N (Background and Resources: California Charities Regulation). New rules cover California public benefit corporations, unincorporated associations, and trustee entities and may include similar foreign corporations doing business or holding property in California. Key Nonprofit Integrity Act requirements affect executive compensation, fund-raising practices and documentation. Charities with over two million dollars (\$2,000,000) of revenues (excluding funds that must be accounted for to a governmental entity) have new audit requirements.
- 5.18.2 All prospective Subrecipients must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete the certification form attached as Exhibit 19 (Charitable Contributions Certification) in Appendix D (Required Forms). A completed Exhibit 19 (Charitable Contributions Certification) is a required part of any agreement with the County.
- 5.18.3 In Exhibit 19 (Charitable Contributions Certification), prospective Subrecipients certify either that:
- 5.18.3.1 They have determined that they do not now receive or raise charitable contributions regulated under the California Charitable Purposes Act, (including the Nonprofit Integrity Act) but will comply if they become subject to coverage of those laws during the term of a County agreement, or
- 5.18.3.2 They are currently complying with their obligations under the Charitable Purposes Act, attaching a copy of their most recent filing with the Registry of Charitable Trusts.
- 5.18.4 Prospective County Subrecipients that do not complete Exhibit 19 (Charitable Contributions Certification) as part of the solicitation process may, in the County's sole discretion, be disqualified from Subaward award. A County Subrecipient that fails to comply with its obligations under the Charitable Purposes Act is subject to either Subaward termination or debarment proceedings or both. (County Code Chapter 2.202)

## **5.19 Defaulted Property Tax Reduction Program**

- 5.19.1 The prospective Subaward is subject to the requirements of the County's Defaulted Property Tax Reduction Program ("Defaulted Tax Program"), (Los Angeles County Code, Chapter 2.206). Prospective Subrecipients should carefully read Appendix O (Defaulted Tax Program Ordinance) and the

pertinent provisions in Paragraph 8.51 (Warranty of Compliance with County's Defaulted Property Tax Reduction Program) and 8.52 (Termination for Breach of Warranty to Maintain Compliance with County's Defaulted Tax Program) of Appendix C (Sample Subaward), both of which are incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both Subrecipients and their Subrecipients.

- 5.19.2 Proposers shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any Subaward that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Exhibit 20 (Certification of Compliance with the County's Defaulted Property Tax Reduction Program) in Appendix D (Required Forms). Failure to maintain compliance, or to timely cure defects, may be cause for termination of a Subaward or initiation of debarment proceedings against the non-compliant Subrecipient (Los Angeles County Code, Chapter 2.202).
- 5.19.3 Proposals that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further consideration.

## **5.20 Time Off for Voting**

- 5.20.1 Subrecipient shall notify its employees and shall require each Lower Tier Subrecipient to notify and provide to its employees, information regarding the time off for voting law (Elections Code Section 14000). Not less than ten (10) days before every statewide election, every Subrecipient and Subrecipients shall keep posted conspicuously at the place of work, if practicable, or elsewhere where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of Section 14000.

## **5.21 Proposer's Acknowledgement of County's Commitment to Zero Tolerance Policy on Human Trafficking**

- 5.21.1 On October 4, 2016, the Los Angeles County Board of Supervisors approved a motion taking significant steps to protect victims of human trafficking by establishing a zero tolerance policy on human trafficking. The policy prohibits Subrecipients engaged in human trafficking from receiving Subaward awards or performing services under a County Subaward.
- 5.21.2 Subrecipients are required to complete Exhibit 24 (Zero Tolerance Policy on Human Trafficking Certification) in Appendix D (Required Forms), certifying that they are in full compliance with the County's Zero Tolerance Policy on Human Trafficking provision as defined in Section 8.54 (Compliance with County's Zero Tolerance Human Trafficking Policy) of Appendix C (Sample Subaward). Further, Subrecipients are required to comply with the requirements under said provision for the term of any Subaward awarded pursuant to this solicitation

## **5.22 Default Method of Payment: Direct Deposit or Electronic Funds Transfer (EFT)**

- 5.22.1 County, at its sole discretion, has determined that the most efficient and secure default form of payment for goods and/or services provided under an agreement/Subaward with the County shall be Electronic Funds Transfer (EFT) or direct deposit, unless an alternative method of payment is deemed appropriate by the Auditor-Controller (A-C).
- 5.22.2 Upon Subaward award or at the request of the A-C and/or the Subawarding department, the Subrecipient shall submit a direct deposit authorization request with banking and vendor information and any other information that the A-C determines is reasonably necessary to process the payment and comply with all accounting, record keeping, and tax reporting requirements.
- 5.22.3 Any provision of law, grant, or funding agreement requiring a specific form or method of payment other than EFT or direct deposit shall supersede this requirement with respect to those payments.
- 5.22.4 Upon Subaward award or at any time during the duration of the agreement/Subaward, a Subrecipient may submit a written request for an exemption to this requirement. The A-C, in consultation with the Subawarding department(s), shall decide whether to approve exemption requests.

## **5.23 Proposer's Acknowledgement of County's Commitment to Fair Chance Employment Hiring Practices**

- 5.23.1 On May 29, 2018, the Los Angeles County Board of Supervisors approved a Fair Chance Employment Policy in an effort to remove job barriers for individuals with criminal records. The policy requires businesses that Subaward with the County to comply with fair chance employment hiring practices set forth in California Government Code Section 12952, Employment Discrimination: Conviction History (Section 12952).
- 5.23.2 Subrecipients are required to complete Exhibit 25 (Compliance with Fair Chance Employment Hiring Practices Certification) in Appendix D (Required Forms), certifying that they are in full compliance with Section 12952, as indicated in the Sample Subaward. Further, Subrecipients are required to comply with the requirements under Section 12952 for the term of any Subaward awarded pursuant to this solicitation.

## **5.24 Prohibition from Participation in Future Solicitation(s)**

- 5.24.1 A Proposer, or a Subrecipient or its subsidiary or Lower Tier Subrecipient ("Proposer/Subrecipient"), is prohibited from submitting a bid or proposal in a County solicitation if the Proposer/Subrecipient has provided advice or consultation for the solicitation. A Proposer/Subrecipient is also prohibited from submitting a bid or proposal in a County solicitation if the Proposer/Subrecipient has developed or prepared any of the solicitation materials on behalf of the County. A violation of this provision shall result in

the disqualification of the Subrecipient/Proposer from participation in the County solicitation or the termination or cancellation of any resultant County Subaward.

## **5.25 COVID-19 Vaccinations of County Contractor Personnel**

- 5.25.1 Proposers are advised that it must comply with Chapter 2.212 (COVID-19 Vaccinations of County Contactor Personnel) of County Code Title 2 - Administration, Division 4 as a condition of performing work under any awarded contract resulting from this solicitation. Proposers are advised to review the requirements of Chapter 2.212 (COVID-19 Vaccinations of County Contactor Personnel) and the sample contract requirements prior to submitting a proposal to this solicitation.

## **6.0 COUNTY'S PREFERENCE PROGRAMS**

### **6.1 Overview of County's Preference Programs**

- 6.1.1 The County of Los Angeles has three preference programs. The Local Small Business Enterprise (LSBE), Disabled Veterans Business Enterprise (DVBE), and Social Enterprise (SE). The Board of Supervisors encourages business participation in the County's Subawarding process by continually streamlining and simplifying our selection process and expanding opportunities for these businesses to compete for County opportunities.
- 6.1.2 The Preference Programs (LSBE, DVBE, and SE) requires that a business must complete certification prior to requesting a preference in a solicitation. This program and how to obtain certification are further explained in Subparagraphs 6.2, 6.4, and 6.5 of this solicitation.
- 6.1.3 In no case shall the Preference Programs (LSBE, DVBE, and SE) price or scoring preference be combined with any other county preference program to exceed fifteen percent (15%) in response to any County solicitation.
- 6.1.4 Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified LSBE, DVBE, or SE when not qualified.
- 6.1.5 The County also has a Policy on Doing Business with Small Business that is stated in Appendix F.

### **6.2 Local Small Business Enterprise (LSBE) Preference Program**

- 6.2.1 The County will give LSBE preference during the solicitation process to businesses that meet the definition of a LSBE, consistent with Chapter 2.204.030C.2 of the Los Angeles County Code.

- 6.2.2 A business which is certified as small by the federal Small Business Administration (SBA) or maintains an active registration as small in the System for Award Management (SAM) data base may qualify to request the LSBE Preference in a solicitation.
- 6.2.3 To apply for certification as a LSBE, businesses should contact the Department of Consumer and Business Affairs at <http://dcba.lacounty.gov>.
- 6.2.4 Certified LSBEs may only request the preference if the certification process has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7 (Request for Preference Program Consideration) in Appendix D (Required Forms) and submit a letter of certification from the DCBA with their proposal.

### **6.3 Local Small Business Enterprise (LSBE) Prompt Payment Program**

- 6.3.1 It is the intent of the County that Certified LSBEs receive prompt payment for services they provide to County Departments. Prompt payment is defined as fifteen (15) calendar days after receipt of an undisputed invoice.

### **6.4 Social Enterprise (SE) Preference Program**

- 6.4.1 The County will give preference during the solicitation process to businesses that meet the definition of a SE, consistent with Chapter 2.205 of the Los Angeles County Code. An SE is defined as:
  - 6.4.1.1 A business that qualifies as a SE and has been in operation for at least one year (1) providing transitional or permanent employment to a Transitional Workforce or providing social, environmental and/or human justice services; and
  - 6.4.1.2 A business certified by the Department of Consumer and Business Affairs (DCBA) as an SE.
- 6.4.2 The DCBA shall certify that a SE meets the criteria set forth in Section 6.4.1.
- 6.4.3 Certified SEs may only request the preference if the certification has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7 (Request for Preference Program Consideration) in Appendix D (Required Forms) and submit a letter of certification from the DCBA with their proposal.
- 6.4.4 Further information on SEs also available on the DCBA's website at: <http://dcba.lacounty.gov>

### **6.5 Disabled Veteran Business Enterprise (DVBE) Preference Program**

- 6.5.1 The County will give preference during the solicitation process to businesses that meet the definition of a DVBE, consistent with Chapter 2.211 of the Los Angeles County Code. A DVBE vendor is defined as:
- 6.5.1.1 A business which is certified by the State of California as a DVBE; or
  - 6.5.1.2 A business which is verified as a Service-Disabled Veteran-Owned small business (SDVOSB) by the Veterans Administration.
  - 6.5.1.3 A business certified as DVBE with other certifying agencies pursuant to the Department of Consumer and Business Affairs' (DCBA) inclusion policy that meets the criteria set forth by the agencies in 6.5.1.1 and 6.5.1.2 above.
- 6.5.2 The DCBA shall certify that a DVBE is currently certified by the State of California, by the U.S. Department of Veteran Affairs, or is determined by the DCBA' inclusion policy that meets the criteria set forth by the agencies in Paragraph 6.5.1 and Subparagraphs 6.5.1.1 or 6.5.1.2 above.
- 6.5.3 Certified DVBEs may only request the preference if the certification process has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7 (Request for Preference Program Consideration) in Appendix D (Required Forms) and submit a letter of certification from the DCBA with their proposal.
- 6.5.4 Information about the State's DVBE certification regulations is found in the California Code of Regulations, Title 2, Subchapter 8, Section 1896 et seq., and is also available on the California Department of General Services Office of Disabled Veteran Business Certification and Resources Website at: <https://caleprocure.ca.gov/pages/sbdvbe-index.aspx>
- 6.5.5 Information on the Department of Veteran Affairs SDVOSB certification regulations is found in the Code of Federal Regulations, 38 CFR 74 and is also available on the Department of Veterans Affairs Website at: <https://www.va.gov/osdbu/>.

## **7.0 PROPOSAL SUBMISSION REQUIREMENTS**

### **7.1 Proposal Submission Information**

- 7.1.1 Paragraph 7.0 herein (Proposal Submission Requirements) contains key project dates and activities as well as instructions to Proposers in how to prepare and submit their proposal.

### **7.2 Truth and Accuracy of Representations**

- 7.2.1 False, misleading, incomplete, or deceptively unresponsive statements in connection with a proposal shall be sufficient cause for rejection of the proposal. The evaluation and determination in this area shall be at the Director's sole judgment and his/her judgment shall be final. All proposals shall be firm and

final offers and may not be withdrawn for a period of one hundred eighty (180) days following the final proposal submission date.

### 7.3 RFP Timetable

7.3.1 The timetable for this RFP is as follows:

- Release of RFP: **March 8, 2022**
- Proposers Conference: **March 15, 2022 – 11:00 A.M. (Pacific Daylight Time)**
- Written Questions Due: **March 15, 2022 - 2:00 P.M. (Pacific Daylight Time)**
- Request for a Solicitation Requirements Review Due: - **March 23, 2022 - 2:00 P.M. (Pacific Daylight Time)**
- Questions and Answers Posted: **March 30, 2022 (Pacific Daylight Time)**
- **Proposals due by: April 8, 2022 - 2:00 P.M. (Pacific Daylight Time)**

### 7.4 Solicitation Requirements Review

7.4.1 Any person or entity may seek a Solicitation Requirements Review by submitting Appendix E (Transmittal Form to Request a Solicitation Requirements Review) to the Department conducting the solicitation as described in Paragraph 7.4 (Solicitation Requirements Review). A request for a Solicitation Requirements Review may be denied, in the Department's sole discretion, if the request does not satisfy all of the following criteria:

7.4.1.1 The request is made within the time frame identified in the solicitation document (generally within ten (10) business days of the issuance of the solicitation document);

7.4.1.2 The request includes documentation (e.g., letterhead, business card, etc.), which identifies the underlying authority of the person or entity to submit a proposal;

7.4.1.3 The request itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and

7.4.1.4 The request asserts either that:

7.4.1.4.1 application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,

7.4.1.4.2 due to unclear instructions, the process may result in the County not receiving the best possible responses from prospective proposers.

7.4.2 The Solicitation Requirements Review shall be completed, and the Department's determination shall be provided to the requesting person or entity, in writing, within a reasonable time prior to the proposal due date.

## 7.5 Proposers' Questions

7.5.1 Proposers may submit written questions regarding this RFP by mail or e-mail to the individual identified below. All questions must be received by **March 15, 2022 - 2:00 P.M. (Pacific Daylight Time)**. All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to the RFP and will be posted online at <https://wdacs.lacounty.gov/doing-business-with-wdacs/rfp/> no later than March 30, 2022 by close of the business day.

7.5.2 When submitting questions, please specify the RFP section number, paragraph number, and page number and quote the language that prompted the question. This will ensure that the question can be quickly found in the RFP. County reserves the right to group similar questions when providing answers.

7.5.3 Questions may address concerns that the application of minimum requirements, evaluation criteria and/or business requirements would unfairly disadvantage Proposers or, due to unclear instructions, may result in the County not receiving the best possible responses from Proposer.

Questions shall be addressed to:

Los Angeles County Business Technical Assistance Program Proposal  
Attention: Michael Yamashige  
[AJCCRFP@WDACS.LACOUNTY.GOV](mailto:AJCCRFP@WDACS.LACOUNTY.GOV)

## 7.6 Proposers' Conference

7.6.1 A Proposers' Conference will be held to discuss the RFP. County staff will respond to questions from potential proposers. If mandatory, all potential proposers must attend this conference or their proposals will be rejected as non-responsive (disqualified) without review and eliminated from further consideration. The conference is scheduled as follows:

**March 15, 2022 – 11:00 A.M. – 12:00 P.M. (Pacific Daylight Time)**

**TEAMS ([Click here](#))**

**Call-In (audio only): (323) 776-6996**

## **7.7 Preparation of the Proposal**

A Business Proposal and a Cost Proposal shall be submitted in the prescribed format. Any proposal that deviates from this format may be rejected as non-responsive without review at the County's sole discretion.

7.7.1 Proposals shall be typed using 12-point Arial font with 1" margins on each side. Each narrative paragraph shall be single-spaced between each line and double-spaced between paragraphs. Include information in footers to identify each page; this information shall include Proposer's name, page number, RFP title and Program Services. Attachments such as charts, maps, reports, etc. that Proposer uses to address or support any narrative response shall be clearly labeled/identified.

7.7.2 Each Section and Sub-section of the proposal shall be clearly identified in the table of contents and shall follow the order specified in Paragraph 7.9 (Business Proposal Format). All attachments must be immediately after the Section/Sub-section to which Proposer is responding. Each attachment shall be clearly labeled/identified.

### **7.7.3 Page Limitation**

7.7.3.1 The combined narrative responses for the Minimum Mandatory Qualifications shall not exceed a total of five (5) single-sided pages (i.e., Proposer's narrative responses to the Minimum Mandatory Qualifications shall not exceed five (5) single-sided pages). This page limit does not apply to exhibits, attachments, the cover page and the table of contents (e.g., attachments are not counted toward the 5-page limit).

7.7.3.2 The combined narrative responses for the Business Proposal shall not exceed a total of fifteen (15) single-sided pages (i.e. Proposer's narrative responses to the Business Proposal shall not exceed fifteen (15) single-sided pages). This page limit does not apply to exhibits, attachments, the cover page and the table of contents (e.g., attachments are not counted toward the 15-page limit).

7.7.3.3 The combined narrative responses for the Cost Proposal shall not exceed a total of five (5) single-sided pages (i.e. Proposer's narrative responses to the Cost Proposal shall not exceed five (5) single-sided pages). This page limit does not apply to exhibits, attachments, the cover page and the table of contents (e.g., attachments are not counted toward the 5-page limit).

7.7.3.4 All forms that are required to be submitted in the proposal and require a signature shall be signed by Proposer's Authorized Representative (the individual who is authorized to sign legally binding document on behalf of Proposer's organization where such

authorization has been decreed through organization's board resolution or other authorizing document), scanned and inserted into the electronic file.

- 7.7.3.5 Any proposal that deviates from the format prescribed in this Paragraph 7.7 may be deemed as non-responsive and may be rejected without further review at County's sole discretion.

## **7.8 Business Proposal Format**

### **7.8.1 The content and sequence of the proposal shall be as follows:**

- 7.8.1.1 Proposer's Organization Questionnaire/Affidavit and Required Support Documents for Corporations and Limited Liability Companies
- 7.8.1.2 Table of Contents
- 7.8.1.3 Required Support Documents
- 7.8.1.4 Executive Summary (Section A)
- 7.8.1.5 Proposer's Qualifications (Section B)
- 7.8.1.6 Proposer's Approach to Provide Required Services (Section C)
- 7.8.1.7 Proposer's Quality Control Plan (Section D)
- 7.8.1.8 Proposer's Green Initiatives (Section E)
- 7.8.1.9 Terms and Conditions in the Sample Subaward, and Requirements of the Statement of Work (SOW): Acceptance of/or Exceptions to (Section F)
- 7.8.1.10 Business Proposal Required Forms (Section G)

### **7.8.2 Proposer's Organization Questionnaire/Affidavit and Required Support Documentation**

- 7.8.2.1 Proposer shall complete, sign and date Exhibit 1 (Proposer's Organization Questionnaire/Affidavit and CBE Information) in Appendix D (Required Forms). The person signing the form must be authorized to sign on behalf of Proposer and to bind the applicant in a Subaward.
- 7.8.2.2 Taking into account the structure of Proposer's organization, Proposer shall determine which of the below referenced supporting documents

the County requires. If Proposer's organization does not fit into one of these categories, upon receipt of the proposal or at some later time, the County may, in its discretion, request additional documentation regarding Proposer's business organization and authority of individuals to sign Subawards.

7.8.2.3 If the below referenced documents are not available at the time of proposal submission, Proposers must request the appropriate documents from the California Secretary of State and provide a statement on the status of the request.

### 7.8.3 **Required Support Documents:**

7.8.3.1 **Corporations or Limited Liability Company (LLC):** Proposer must submit the following documentation with the proposal:

7.8.3.1.1 A copy of a "Certificate of Good Standing" with the state of incorporation/organization.

7.8.3.1.2 A conformed copy of the most recent "Statement of Information" as filed with the California Secretary of State listing corporate officers or members and managers.

7.8.4 **Limited Partnership:** Proposer must submit a conformed copy of the Certificate of Limited Partnership or Application for Registration of Foreign Limited Partnership as filed with the California Secretary of State, and any amendments.

### 7.8.5 **Table of Contents**

7.8.5.1 List all material included in the proposal. Include a clear definition of the material, identified by sequential page numbers and by section and paragraph reference numbers.

### 7.8.6 **Executive Summary (Section A)**

Proposer shall provide a description of Proposer's background in support of the Minimum Mandatory Qualifications as stated under Paragraph 3.0 (Proposer's Minimum Mandatory Qualifications). Proposer shall address the following in the narrative:

7.8.6.1 Proposer's organization must be classified as one (1) of the following: social enterprise agency, industry organization, or community-based organization (examples include but are not limited to, Chambers of Commerce, Economic Development Corporation, Small Business Development Centers, etc.).

- 7.8.6.2 Proposer shall have a minimum of two (2) years (consecutive or non-consecutive) within the last five (5) years of experience providing Program Services to businesses in Los Angeles County in the region(s) being applied for (or providing services which are substantially similar to those stated in Appendix A (Statement of Work, Section 10.0 (Specific Work Requirements))).
- 7.8.6.3 As detailed in Appendix A (Statement of Work), Proposer shall have a Project Manager, with a minimum of two (2) years of experience within the last five (5) years providing business services, or services similar to those described in Appendix B (Statement of Work).
- 7.8.6.4 Proposer shall provide the information stated in Sub-paragraph (Section B (Proposer's Background and Experience)) as part of its proposal in order to demonstrate that it meets the requirements stated herein.
- 7.8.6.5 Proposer shall be directly engaged in serving businesses and/or conducting economic development with Workforce Development Boards (WDBs), America's Job Centers of California (AJCCs), Community Based Organizations (CBOs), Economic Development Commissions (EDCs), Chambers, Labor Unions, Small Business Development Corporations (SBDCs), or any combination of these.

**7.8.7 Proposer's Qualifications (Section B)**

Demonstrate that Proposer's organization has the experience and financial capability to perform the required services. The following sections shall be included:

**7.8.7.1 Proposer's References (Section B.1)**

It is Proposer's sole responsibility to ensure that the firm's name, and point of contact's name, title and phone number for each reference is accurate. The same references may be listed on both Exhibit 2 and Exhibit 3 of Appendix D (Required Forms)

7.8.7.1.1 In addition to Exhibit 2, Proposer shall submit three (3) letters of support from organizations/entities where similar services were provided it supports that the Proposer meets the Minimum Mandatory Qualifications as stated under Paragraph 3.0 (Proposer's Minimum Mandatory Qualifications).

7.8.7.1.2 Letters of support shall come from the same organization/entities listed in Exhibit 2 (Proposer's

References) in Appendix D (Required Forms).

7.8.7.2 County may disqualify a Proposer as non-responsive and/or non-responsible if:

7.8.7.2.1 References fail to substantiate Proposer's description of the services provided; or

7.8.7.2.1.1 references fail to support that Proposer has a continuing pattern of providing capable, productive and skilled personnel, or

7.8.7.2.1.2 the Department is unable to reach the point of contact with reasonable effort. It is Proposer's responsibility to inform the point of contact of normal working hours.

7.8.7.2.1.3 Proposer must complete and include the following Required Forms:

7.8.7.2.1.3.1 Exhibit 2 (Proposer's References) in Appendix D (Required Forms). Proposer must provide a minimum of three (3) references within the last five (5) years where the same or similar scope of services was provided. References shall support the number of years of experience Proposer states in Section 3.2, Proposer's Background and Experience.

7.8.7.2.1.3.2 Exhibit 3 (Proposer's List of Subawards with Public Entities) in Appendix D (Required Forms). Proposer must provide a minimum of one (1) Public Entities Subaward within the last seven (7) years.

7.8.7.2.1.3.3 Exhibit 4 (Proposer's List of Expired and Terminated Subawards) in Appendix D (Required Forms).

Proposer must a minimum of one (1) references within the past seven (7) years with a reason for expiration and/or termination.

#### 7.8.7.3 Proposer's Financial Capability (Section B.3)

Provide one (1) copy of the company's most current and prior two (2) fiscal years (for example 2019 and 2020) financial statements. Statements should include the company's assets, liabilities and net worth and at a minimum should include the Balance Sheet, Statement of Income, and the Statement of Cash Flows. It should be noted that depending on the nature of the entity, i.e., for-profit, non-profit, governmental, the title of these statements may differ. For example, for a non-profit entity the Balance Sheet is referred to as the Statement of Financial Position. If audited statements are available, these should be submitted to meet this requirement. Do not submit Income Tax Returns to meet this requirement. Financial statements will be kept confidential if so stamped on each page.

#### 7.8.7.4 Proposer's Pending Litigation and Judgments (Section B.2)

7.8.7.4.1 Proposer shall provide a statement indicating whether or not it has any pending or threatening litigation in which Proposer is and/or its principals are involved which have occurred within the past seven (7) years. If Proposer does not have any such litigation actions, Proposer shall provide a written statement indicating that there are no such pending or threatening litigation actions involving Proposer and/or its principals within the past seven (7) years.

7.8.7.4.2 In the event that Proposer indicates that it has a pending or threatening litigation, Proposer shall provide the following information: name of the action, case number, brief summary of the case, court jurisdiction and the size and scope of the action.

7.8.7.4.3 Notations such as "not applicable" or "n/a" are not a valid response and will be rated as "non-responsive". County may reject/disqualify the proposal when such a rating is determined.

#### 7.8.7.4.4 Proposer's Judgement Action(s)

7.8.7.4.4.1 Proposer shall provide a statement indicating whether or not it has any judgment action(s) against Proposer

and/or its principals which have occurred within the past seven (7) years. If Proposer does not have any such judgment action(s), Proposer shall provide a written statement indicating that there are no such judgment action(s) against Proposer and/or its principals within the past seven (7) years.

7.8.7.4.4.2 In the event that Proposer indicates that it has a judgment action(s), Proposer shall provide the following information: name of the action, case number, brief summary of the case and court jurisdiction.

7.8.7.4.4.3 Notations such as “not applicable” or “n/a” are not a valid response and will be rated as “non-responsive”. County may reject/disqualify the proposal when such a rating is determined.

#### **7.8.8 Proposer’s Approach to Provide Required Services (Section C)**

This Section C will provide a description of the methodology Proposer will use to meet Subaward work requirements. Describe in detail how the services will be performed to meet the intent of the SOW.

7.8.8.1 Proposer shall describe the education, experience and qualifications of the Project Manager, who is currently in place, identified in Subparagraph 6.2 of the SOW.

7.8.8.1.1 Proposer shall provide copies of all required certifications, licenses, diplomas, resumes and job specifications for the Project Manager. The resume will be used to verify the Project Manager’s years of experience.

7.8.8.2 Proposer shall describe its partnerships with organizations that address the needs of Distressed Businesses including, but not limited to, partnerships with: America’s Job Centers of California (AJCCs), Workforce Development Boards, Community Based Organizations, Economic Development Corporations, Chambers of Commerce and Small Business Development Centers.

7.8.8.3 Proposer shall describe how it plans to provide the number of Assessments Proposer will conduct, as described in Appendix A (Statement of Work), Sub-section 10.4.3 (Prevention), 10.4.3.1 (Assessments).

7.8.8.3.1 Proposer shall describe the plan for how the proposed

number of Assessments to be conducted will be achieved.

- 7.8.8.4 Proposer shall describe the number of Action Plans to be developed, as described in Appendix B (Statement of Work), Sub-section 10.4.3.2.
  - 7.8.8.4.1 Proposer shall describe the plan for how the number of Action Plans to be developed will be achieved.
- 7.8.8.5 Proposer shall describe the number of Action Plan Services (as described in Section 7.8.8.6 below) to be provided to Distressed Businesses, as detailed in Appendix A (Statement of Work).
- 7.8.8.6 Proposer shall describe its knowledge and understanding of each Action Plan Services as detailed in Appendix A (Statement of Work), and as follows:
  - 7.8.8.6.1 Connecting Distressed Business to Industry and Trade Organizations as detailed in Appendix A (Statement of Work).
  - 7.8.8.6.2 Assistance with obtaining permits as detailed in Appendix A (Statement of Work).
  - 7.8.8.6.3 Tax incentive Analysis as detailed in Appendix A (Statement of Work).
  - 7.8.8.6.4 Project Management Assistance as detailed in Appendix A (Statement of Work).
  - 7.8.8.6.5 Assistance with Site Relocation to retain the business in Los Angeles County as detailed in Appendix A (Statement of Work).
  - 7.8.8.6.6 Cost Containment Analysis and Best Practices as described in Appendix A (Statement of Work).
  - 7.8.8.6.7 Exploring Assess to Capital as described in Appendix A (Statement of Work).
  - 7.8.8.6.8 Should Proposer not be familiar with the provision of one or more Action Plan Services stated in this solicitation, Proposer shall describe steps that will be taken to gain knowledge in these areas.
- 7.8.8.7 Proposer may provide additional Action Plan Services not stated herein. Include a detailed description for each additional proposed service.
- 7.8.8.8 Proposer shall describe the referral process to partners as described in Appendix A (Statement of Work) for any portion of these services

as detailed in this solicitation. Proposer shall describe which partner will provide each service.

7.8.8.9 Proposer shall describe the number of layoffs it plans to avert, on an annual basis, as described in Appendix A (Statement of Work).

7.8.8.9.1 Proposer shall describe the plan for how its proposed number of averted layoffs will be achieved.

7.8.8.10 Proposer shall describe the number of referrals it will make to Distressed Businesses, who are no longer in need of Program Services to partnering AJCCs as described in Appendix A (Statement of Work).

7.8.8.10.1 Proposer shall describe the plan for how its proposed number of referrals will be achieved.

**7.8.9 Proposer's Quality Control Plan (Section D)**

7.8.9.1 Present a comprehensive Quality Control Plan to be utilized by Proposer as a self-monitoring tool to ensure the required services are provided as specified in Appendix A (Statement of Work) and the Performance Requirements Summary Chart in Appendix B (Statement of Work Exhibits), Exhibit 4. The following factors may be included in the plan:

7.8.9.1.1 Activities to be monitored to ensure compliance with all Subaward requirements;

7.8.9.1.2 Monitoring methods to be used;

7.8.9.1.3 Frequency of monitoring;

7.8.9.1.4 Samples of forms to be used in monitoring;

7.8.9.1.5 Title/level and qualifications of personnel performing monitoring functions; and

7.8.9.1.6 Documentation methods of all monitoring results, including any corrective action taken.

**7.8.10 Proposer's Green Initiatives (Section E)**

7.8.10.1 Present a description of proposed plan for complying with the green requirements as described in Paragraph 11.0 of the SOW. Describe your company's current environmental policies and practices and those proposed to be implemented.

**7.8.11 Terms and Conditions in the Sample Subaward, and Requirements of the Statement of Work (SOW): Acceptance of/or Exceptions to (Section F)**

7.8.11.1 It is the duty of every Proposer to thoroughly review the Sample Subaward and Statement of Work to ensure compliance with all terms, conditions and requirements. It is the County's expectation that in submitting a proposal Proposers will accept, as stated, the County's terms and conditions in the Sample Subaward and the County's requirements in the Statement of Work. However, Proposers are provided the opportunity to take exceptions to the County's terms, conditions, and requirements.

7.8.11.2 Section F of Proposer's response shall include:

7.8.11.2.1 A statement offering Proposer's acceptance of or exceptions to all terms and conditions listed in Appendix C (Sample Subaward).

7.8.11.2.2 A statement offering Proposer's acceptance of or exceptions to all requirements listed in Appendix A (Statement of Work); and

7.8.11.3 For each exception, Proposer shall provide:

7.8.11.3.1 An explanation of the reason(s) for the exception;

7.8.11.3.2 The proposed alternative language; and

7.8.11.3.3 A description of the impact, if any, to Proposer's price.

7.8.11.4 Indicate all exceptions to the Sample Subaward and/or the Statement of Work by providing a 'red-lined' version of the language in question. The County relies on this procedure and any Proposer who fails to make timely exceptions as required herein, may be barred, at the County's sole discretion, from later making such exceptions.

7.8.11.4.1.1 The County reserves the right to determine if Proposers' exceptions are material enough to deem the proposal non-responsive and not subject to further evaluation.

7.8.11.4.1.2 The County reserves the right to make changes to the Sample Subaward and its appendices and exhibits at its sole discretion.

**7.8.12 Business Proposal Required Forms (Section G)**

Proposal shall include all completed, signed, and dated forms identified in

## Appendix D (Required Forms):

- Exhibit 1 Proposer's Organization Questionnaire/Affidavit
- Exhibit 1A Community Business Enterprise (CBE) Information
- Exhibit 2 Prospective Subrecipient References
- Exhibit 3 Prospective Subrecipient's List of Subawards
- Exhibit 4 Prospective Subrecipient's List of Terminated Subawards
- Exhibit 5 Certification of No Conflict of Interest
- Exhibit 6 Familiarity with the County Lobbyist Ordinance Certification
- Exhibit 7 Request for Preference Program Consideration
- Exhibit 8 Proposer's EEO Certification
- Exhibit 9 Attestation of Willingness to Consider GAIN/GROW Participants
- Exhibit 10 County of Los Angeles Subrecipient Employee Jury Service Program Certification and Application for Exception
- Exhibit 11 Intentionally Omitted
- Exhibit 12 Certification of Independent Price Determination and Acknowledgement of Request for Proposal Restrictions
- Exhibits 13–18 Intentionally Omitted
- Exhibit 19 Charitable Contributions Certification (2004 Non-Profit Integrity Act (SB 1262, Chapter 919))
- Exhibit 20 Certification of Compliance with the County's Defaulted Property Tax Reduction Program
- Exhibit 21 Proposed List of Lower Tier Subawards
- Exhibit 22 Compliance with Data Encryption Requirements
- Exhibit 23 Proposer's Budget and Narrative
- Exhibit 24 Zero Tolerance Policy on Human Trafficking Certification
- Exhibit 25 Compliance with Fair Chance Employment Hiring Practices Certification

## 7.9 Cost Proposal Format

7.9.1 The content and sequence of the cost proposal must be as follows:

- 7.9.1.1 Cover Page identifying, at a minimum, the RFP and Proposer's name.
- 7.9.1.2 Exhibit 12 (Certification of Independent Price Determination and Acknowledgement of Request for Proposal Restrictions) in Appendix D (Required Forms)
- 7.9.1.3 Exhibit 23 (Proposer's Budget) in Appendix D (Required Forms)

- 7.9.1.4 Budget and Budget Narrative: The line items and dollar amounts represented in Appendix D (Required Forms), Exhibit 23 (Proposer's Budget) shall be fixed. However, proposer shall prepare and submit a budget narrative which outlines Proposer's methodology of how costs will be allocated to each line item.
  - 7.9.1.4.1 Proposer shall submit a justification explaining the reasonableness and necessity of each item of cost that is included in the completed Appendix D (Required Forms), Exhibit 23 (Proposer's Budget).
  - 7.9.1.4.2 The budget shall not exceed the funding amount, per Service Area, stated in Sub-paragraph 1.3 (Anticipated Funding Amounts).
  - 7.9.1.4.3 Proposer shall submit this budget and narrative description as part (Proposed Budget and Narrative) of the cost proposal.

## 7.10 Firm Offer-Withdrawal of Proposal

- 7.10.1 Until the proposal submission deadline, errors in proposals may be corrected by a request in writing to withdraw the proposal and by submission of another set of proposals with the mistakes corrected. Corrections will not be accepted once the deadline for submission of proposals has passed.
- 7.10.2 All proposals shall be firm offers and may not be withdrawn for a period of two hundred seventy (270) days following the last day to submit proposals.

## 7.11 Proposal Submission

- 7.11.1 Due to the outbreak of COVID-19, WDACS will temporarily be accepting online proposal submissions. Proposals shall be organized in the order listed in RFP Section 7.9, Business Proposal Format, and RFP Section 7.10, Cost Proposal Format and provided in a single electronic file (if you cannot submit a single file, please ensure the file names allow the evaluator to easily put the files into order). **Hard copies will not be accepted.** The electronic file shall be in the form of PDF/scanned documents; Word or Excel versions of these documents are not acceptable. Proposal shall be submitted to the email address listed below and the following text shall be stated in the subject line of the email: **"PROPOSAL FOR BUSINESS TECHNICAL ASSISTANCE PROGRAM."**
- 7.11.2 The proposal shall be emailed to:

Workforce Development, Aging and Community Services  
Attention: Michael Yamashige, ASM III  
[AJCCRF@WDACS.LACOUNTY.GOV](mailto:AJCCRF@WDACS.LACOUNTY.GOV)

- 7.11.3 It is the sole responsibility of the submitting Proposer to ensure that its proposal is emailed to the person and at the email address shown above before the submission deadline. Proposer(s) shall bear all risks associated with the use of email.

## **8.0 SELECTION PROCESS AND EVALUATION CRITERIA**

### **8.1 Selection Process**

- 8.1.1 County reserves the sole right to judge the contents of the proposals submitted pursuant to this RFP and to review, evaluate and select the successful proposal(s). The selection process will begin with receipt of the proposal on **April 8, 2:00 P.M. Pacific Daylight Time.**
- 8.1.2 Evaluation of the proposals will be made by an Evaluation Committee selected by County. The Committee will evaluate the proposals and will use the evaluation approach described herein to select a prospective Subrecipient. All proposals will be evaluated based on the criteria listed below. All proposals will be scored and ranked in numerical sequence from high to low. The Evaluation Committee may utilize the services of appropriate experts to assist in this evaluation.
- 8.1.3 After a prospective Subrecipient has been selected, County and the prospective Subrecipient(s) will negotiate a Subaward for submission to the Board of Supervisors for its consideration and possible approval. If a satisfactory Subaward cannot be negotiated, County may, at its sole discretion, begin Subaward negotiations with the next qualified Proposer who submitted a proposal, as determined by County.
- 8.1.4 The recommendation to award a Subaward will not bind the Board of Supervisors to award a Subaward to the prospective Subrecipient.
- 8.1.5 County retains the right to select a proposal other than the proposal receiving the highest number of points if County determines, in its sole discretion, another proposal is the most overall qualified, cost-effective, responsive, responsible and in the best interests of County.
- 8.1.6 County may, at its sole discretion, contact all Proposers being evaluated for clarification or validation of submitted information.

### **8.2 Adherence to Minimum Requirements (Pass-Fail)**

- 8.2.1 County shall review the RFP in its entirety and determine if Proposer meets the Minimum Mandatory Qualifications as outlined in Section 3.0 (Proposer's Minimum Qualifications) of this RFP. The MMQ review shall include, but not be limited to:
  - 8.2.1.1 RFP Paragraph 7.8.6 (Executive Summary);

8.2.1.2 Exhibit 1 (Proposer's Organization Questionnaire/Affidavit and Exhibit 1A. (CBE Information) in Appendix D (Required Forms);

8.2.1.3 Exhibit 23 (Proposer's Budget and Budget Narrative) in Appendix D (Required Forms).

8.2.2 Failure of Proposer to comply with the minimum requirements may eliminate its proposal from any further consideration. The County may elect to waive any informality in a proposal if the sum and substance of the proposal is present.

### **8.3 Disqualification Review**

8.3.1 A proposal may be disqualified from consideration because a Department determined it was non-responsive at any time during the review/evaluation process. If a Department determines that a proposal is disqualified due to non-responsiveness, the Department shall notify the proposer in writing.

Upon receipt of the written determination of non-responsiveness, the proposer may submit a written request for a Disqualification Review within the timeframe specified in the written determination.

A request for a Disqualification Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

8.3.1.1 The person or entity requesting a Disqualification Review is a Proposer;

8.3.1.2 The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and

8.3.1.3 The request for a Disqualification Review asserts that the Department's determination of disqualification due to non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

8.3.2 The Disqualification Review shall be completed and the determination shall be provided to the requesting proposer, in writing, prior to the conclusion of the evaluation process.

8.3.3 Proposer can also be disqualified for Paragraph 5.8 (Determination of Proposer Responsibility).

### **8.4 Business Proposal Evaluation and Criteria (2,480 Points)**

8.4.1 Any reviews conducted during the evaluation of the proposal may result in a point reduction.

## 8.4.2 Proposer's Qualifications (100 Points)

8.4.2.1 Proposer will be evaluated on the verification of references provided in Paragraph 7.8.7.1 (Proposer's References (Section B.1)) of the proposal. In addition to the references provided, a review will include the County's Subaward Database and Subrecipient Alert Reporting Database, if applicable, reflecting past performance history on County or other Subawards. It is Proposer's sole responsibility to ensure that the reference's name and contact person's name, title, phone number and e-mail address are accurate.

County will make up to three (3) attempts to reach the contact. It is Proposer's responsibility to inform the point of contact of County's business hours during the evaluation period.

8.4.2.1.1 Exhibit 2 – Prospective Subrecipient's References (Total 45 Points): Minimum of three (3) references must be provided. Each reference may result in a point deduction of a possible 15 points if the reference fails to substantiate Proposer's description of the services provided, support that Proposer has a continuing pattern of providing capable, productive and skilled personnel; or the reference is missing. Reference must substantiate the Proposer's services within the last seven (7) years.

8.4.2.1.1.1 In addition to Exhibit 2, Proposer shall submit three (3) letters of support from organizations/entities where similar services were provided that supports that the Proposer meets the Minimum Mandatory Qualifications as stated under Paragraph 3.0 (Proposer's Minimum Mandatory Qualifications).

8.4.2.1.1.2 Letters of support shall be the same organization/entities listed in Exhibit 2, Proposer's References.

8.4.2.1.2 Exhibit 3 – Prospective Subrecipient's List of Subawards with Public Entities (30 Points): Proposer shall provide information on a minimum of one (1) Subaward with a public entity. Each reference may result in a point deduction of a possible 5 points if the reference fails to substantiate Proposer's description of the services provided, support that Proposer has a continuing pattern of providing capable, productive and skilled personnel; or the reference is missing. Reference must substantiate the Proposer's services within the last seven (7) years.

8.4.2.1.3 Exhibit 4 – Prospective Subrecipient’s List of Expired and Terminated Subawards (15 Points): Proposer shall provide information on a minimum of one (1) expired or terminated Subaward. Each reference may result in a point deduction of a possible 5 points if the reference fails to substantiate Proposer’s description of the services provided, support that Proposer has a continuing pattern of providing capable, productive and skilled personnel; or the reference is missing. Reference must substantiate the Proposer’s services within the last seven (7) years.

8.4.2.2 A review will be conducted to determine the significance of any litigation or judgments pending against Proposer as provided in Paragraph 7.8.7.4 (Proposer’s Pending Litigation and Judgment (Section B.2)) of the proposal. (10 points)

**8.4.3 Proposer’s Approach to Providing Required Services (2,100 Points)**

8.4.3.1 Proposer will be evaluated on its description of the methodology to be used to meet the County’s requirements based on information provided in Paragraph 7.8.8 (Proposer’s Approach to Provide Required Services (Section C)) of the proposal.

8.4.3.1.1 Proposer shall be evaluated on its description of the education, experience and qualifications of the Project Manager identified in Subparagraph 6.2 of the SOW who are currently in place (100 Points).

8.4.3.1.2 Proposer shall describe its partnerships with organizations that address the needs of Distressed Businesses including, but not limited to, partnerships with: America’s Job Centers of California (AJCCs), Workforce Development Boards, Community Based Organizations, Economic Development Corporations, Chambers of Commerce and Small Business Development Centers (200 Points).

8.4.3.1.3 Proposer shall provide written documentation for a minimum of ten (10) separate partnerships, such as letters of acknowledgement of the partnership and/or support specifically regarding this solicitation and work described in Appendix B (Statement of Work), board resolutions, etc. This documentation shall be included in this Sub-section B-2 (Proposer’s Approach to Providing Services - Partnerships). Proposer shall provide one letter/support document per organization it has a partnership with. (200 Points).

8.4.3.1.4 Proposer shall describe the number of Assessments Proposer will conduct, as described in Appendix A

(Statement of Work), Sub-section 10.4.3 (Prevention), 10.4.3.1 (Assessments) (200 Points).

8.4.3.1.4.1 Proposal shall describe the plan for how the proposed number of Assessments to be conducted will be achieved.

8.4.3.1.5 Proposer shall describe the number of Action Plans to be developed, as described in Appendix B (Statement of Work), Sub-section 10.4.3.2 (200 Points).

8.4.3.1.6 Proposer shall describe the plan for how the number of Action Plans to be developed will be achieved (200 Points).

8.4.3.1.7 Proposer shall describe the number of Action Plan Services to be provided to Distressed Businesses, as detailed in Appendix A (Statement of Work) (200 Points).

8.4.3.1.8 Proposer shall describe its knowledge and understanding of each Action Plan Services as detailed in Appendix A (Statement of Work), and as follows (200 Points):

8.4.3.1.8.1 Connecting Distressed Business to Industry and Trade Organizations as detailed in Appendix A (Statement of Work).

8.4.3.1.8.2 Assistance with obtaining permits as detailed in Appendix A (Statement of Work).

8.4.3.1.8.3 Tax incentive Analysis as detailed in Appendix A (Statement of Work).

8.4.3.1.8.4 Project Management Assistance as detailed in Appendix A (Statement of Work).

8.4.3.1.8.5 Assistance with Site Relocation to retain the business in Los Angeles County as detailed in Appendix A (Statement of Work).

8.4.3.1.8.6 Cost Containment Analysis and Best Practices as described in Appendix A (Statement of Work).

8.4.3.1.8.7 Exploring Assess to Capital as described in Appendix A (Statement of Work).

8.4.3.1.8.8 Should Proposer not be familiar with the provision of one or more Action Plan Services stated in this solicitation, Proposer

shall describe steps that will be take to gain knowledge in these areas.

8.4.3.1.9 Proposer may provide additional Action Plan Services not stated herein. Include a detailed description for each additional proposed service.

8.4.3.1.10 Proposer shall describe the referral process to partners as described in Appendix A (Statement of Work) for any portion of these services as detailed in this solicitation. Proposer shall describe which partner will provide each service (200 Points).

8.4.3.1.11 Proposer shall describe the number of layoffs to be averted, on an annual basis, as described in Appendix A (Statement of Work) (200 Points).

8.4.3.1.11.1 Proposer shall describe the plan for how its proposed number of averted layoffs will be achieved.

8.4.3.1.12 Proposer shall describe the number of referrals it will make to Distressed Businesses, who are no longer in need of Program Services to partnering AJCCs as described in Appendix A (Statement of Work) (200 Points).

8.4.3.1.12.1.1 Proposer shall describe the plan for how its proposed number of referrals will be achieved and confirm that referrals will be made to AJCCs in the CalJOBS CRM (duplicative referrals via email or other communications platform may also be utilized).

#### **8.4.4 Quality Control Plan (100 Points)**

8.4.4.1 Proposer will be evaluated on its ability to establish and maintain a complete Quality Control Plan to ensure the requirements of this Subaward are provided as specified. Evaluation of the Quality Control Plan shall cover the proposed monitoring system of all services listed on the Performance Requirements Summary (PRS) based on the information provided in Paragraph 7.8.1.7 (Proposer's Quality Control Plan (Section D)) of the proposal.

#### **8.4.5 Green Initiatives (50 Points)**

8.4.5.1 Proposer will be evaluated on its description of current and proposed plan for complying with the green requirements as described in

Paragraph 7.8.1.8 (Proposer's Green Initiatives (Section E) of the proposal.

**8.4.6 Exceptions to Terms and Conditions of Sample Subaward and/or Requirements of the Statement of Work (Possible deduction of 250 Points)**

8.4.6.1 Proposer will be evaluated on their willingness to accept the Terms and Conditions outlined in Appendix C (Sample Subaward) and the Requirements of the Statement of Work outlined in Exhibit A (Statement of Work), as stated in Paragraph 7.8.1.9 (Terms and Conditions in the Sample Subaward, and Requirements of the Statement of Work (SOW): Acceptance of/or Exceptions to (Section F)) of the proposal. The County will deduct rating points or disqualify the proposal in its entirety if the exceptions are material enough to deem the proposal non-responsive.

8.4.6.2 Proposers are further notified that the County may, in its sole determination, disqualify any Proposer with whom the County cannot satisfactorily negotiate a Subaward.

**8.4.7 Business Proposal Required Forms (130 Points)**

In the event that Proposer does not submit a form and/or document as indicated in Subparagraph 7.8.12 (Section G (Required Forms)), or form is missing a signature, Proposer shall not receive the ten (10) points available for each form or document. Ten (10) points will be deducted for each missing form and points received will be included in the Business Proposal score.

8.4.7.1 Exhibit 5 - Certification of No Conflict of Interest

8.4.7.2 Exhibit 6 - Familiarity with the County Lobbyist Ordinance Certification

8.4.7.3 Exhibit 7 - Request for Preference Program Consideration (Optional – no point deduction)

8.4.7.4 Exhibit 8 - Proposer's EEO Certification

8.4.7.5 Exhibit 9 - Attestation of Willingness to Consider GAIN/GROW Participants

8.4.7.6 Exhibit 10 - County of Los Angeles Subrecipient Employee Jury Service Program Certification and Application for Exception

8.4.7.7 Exhibit 19 - Charitable Contributions Certification

8.4.7.8 Exhibit 20 - Certification of Compliance with the County's Defaulted Property Tax Reduction Program

- 8.4.7.9 Exhibit 21 - Proposed List of Lower Tier Subrecipients – if not applicable, note N/A and sign the form – only a missing form will receive point deduction.
- 8.4.7.10 Exhibit 22 - Compliance with Data Encryption Requirements
- 8.4.7.11 Exhibit 23 - Proposer’s Budget and Narrative
- 8.4.7.12 Exhibit 24 - Compliance with County’s Zero Tolerance Human Trafficking Policy
- 8.4.7.13 Exhibit 25 - Compliance with Fair Chance Employment Hiring Practices Certification

**8.5 Cost Proposal Evaluation Criteria (350 Points)**

- 8.5.1 RFP Subparagraph 7.9 - Proposer shall be evaluated on the submitted budget and budget narrative Appendix D (Required Forms), Exhibit 23 (Proposer’s Budget and Narrative) and Exhibit 12 (Certification of Independent Price Determination and Acknowledgement of Request for Proposal Restrictions). The budget narrative shall be consistent with the budget form. The line items and dollar amounts represented in Appendix D (Required Forms), Exhibit 23 (Proposer’s Budget) shall be fixed. However, proposer shall prepare and submit a budget narrative which outlines Proposer’s methodology of how costs will be allocated to each line item (100 Points).
- 8.5.2 RFP Subparagraph 7.9 – The budget narrative shall not exclude any budgeted line items and the narrative shall provide sufficient detail to show how the Proposer determined costs. Proposer shall be evaluated on the budget narrative and its description of how each line item’s costs will be budgeted (250 Points).
- 8.5.3 The maximum number of points possible under this solicitation is **2,830 Points** which is summarized from Paragraphs 8.4 and 8.5 above, as follows:

**8.5.3.1 Business Proposal Evaluation Criteria: 2,480 Points**

- 8.5.3.1.1 Proposer’s Qualifications: 100 Points
- 8.5.3.1.2 Proposer’s Approach to Providing Required Services: 2,100 Points
- 8.5.3.1.3 Quality Control Plan: 100 Points
- 8.5.3.1.4 Green Initiatives: 50 Points
- 8.5.3.1.5 Business Proposal Required Forms: 130 Points

**8.5.3.2 Cost Proposal Evaluation Criteria: 350 Points**

## **8.6 Department's Proposed Subrecipient Selection Review**

### **8.6.1 Departmental Debriefing Process**

- 8.6.1.1 Upon completion of the evaluation, the Department shall notify the remaining Proposers in writing that the Department is entering negotiations with another Proposer. Upon receipt of the letter, any non-selected Proposer may submit a written request for a Debriefing within the timeframe specified in the letter. A request for a Debriefing may, in the Department's sole discretion, be denied if the request is not received within the specified timeframe.
- 8.6.1.2 The purpose of the Debriefing is to compare the requesting Proposer's response to the solicitation document with the evaluation document. The requesting Proposer shall be debriefed only on its response. Because Subaward negotiations are not yet complete, responses from other Proposers shall not be discussed, although the Department may inform the requesting Proposer of its relative ranking.
- 8.6.1.3 During or following the Debriefing, the Department will instruct the requesting Proposer of the manner and timeframe in which the requesting Proposer must notify the Department of its intent to request a Proposed Subrecipient Selection Review (see Paragraph 8.6.2 Proposed Subrecipient Selection Review), if the requesting Proposer is not satisfied with the results of the Debriefing.

### **8.6.2 Proposed Subrecipient Selection Review**

- 8.6.2.1 Any proposer that has timely submitted a notice of its intent to request a Proposed Subrecipient Selection Review as described in Paragraph 8.6.2 (Proposed Subrecipient Selection Review) may submit a written request for a Proposed Subrecipient Selection Review, in the manner and timeframe as shall be specified by the Department.
- 8.6.2.2 A request for a Proposed Subrecipient Selection Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:
- 8.6.2.2.1 The request for a Proposed Subrecipient Selection Review is submitted timely (i.e., by the date and time specified by the Department);
- 8.6.2.2.2 The person or entity requesting a Proposed Subrecipient Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
- 8.6.2.2.2.1 The Department materially failed to follow procedures specified in its solicitation document.

This includes:

- 8.6.2.2.2.1.1 Failure to correctly apply the standards for reviewing the proposal format requirements.
- 8.6.2.2.2.1.2 Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals as specified in the solicitation document.
- 8.6.2.2.2.1.3 Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.
- 8.6.2.2.2.2 The Department made identifiable mathematical or other errors in evaluating proposals, resulting in the proposer receiving an incorrect score and not being selected as the recommended contractor.
- 8.6.2.2.2.3 A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation.
- 8.6.2.2.2.4 Another basis for review as provided by state or federal law; and
- 8.6.2.2.3 The request for a Proposed Subrecipient Selection Review sets forth sufficient detail to demonstrate that, but for the Department's alleged failure, the proposer would have been the lowest cost, responsive and responsible bid or the highest-scored proposal, as the case may be.
- 8.6.2.2.4 Upon completing the Proposed Contractor Selection Review, the Department representative shall issue a written decision to the proposer within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the contract award recommendation is to be heard by the Board. The written decision shall additionally instruct the proposer of the manner and timeframe for requesting a County Independent Review. (See Paragraph 8.8 (County Independent Review Process) below.

## **8.7 County Independent Review Process**

- 8.7.1 Any Proposer that is not satisfied with the results of the Proposed Subrecipient Selection Review may submit a written request for a County

Independent Review in the manner and timeframe specified by County in County's written decision regarding the Proposed Subrecipient Selection Review. A request for County Independent Review may, in County's sole discretion, be denied if the request does not satisfy all of the following criteria:

8.7.1.1 The person or entity requesting a County Independent Review is a Proposer;

8.7.1.2 The request for a County Independent Review is submitted timely (i.e., by the date and time specified by County); and

8.7.1.3 The person or entity requesting review by a County Independent Review has limited the request to items raised in the Proposed Subrecipient Selection Review and new items that (a) arise from County's written decision and (b) are one of the appropriate grounds for requesting a Proposed Subrecipient Review as listed in Paragraph 8.6.2 (Proposed Subrecipient Selection Review) above.

8.7.2 Upon completion of the County Independent Review, the County of Los Angeles' Internal Services Department will forward the report to County, which will provide a copy to Proposer.